



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Bradley M. Pfaff, Secretary

MEMORANDUM

From: Heather Bartley, Commercial Feed Program Specialist
To: Wisconsin Commercial Feed Manufacturers, Labelers, and Distributors
RE: Commercial Feed Regulatory Resources

Thank you for your interest in distributing, labeling, and/or manufacturing commercial feed in Wisconsin. I am the Feed Program Specialist for the Wisconsin Department of Agriculture, Trade and Consumer Protection (WDATCP). Below you will find a general overview as well as a series of resources available to you to know and understand the ins and outs of the feed industry. Please feel free to call and ask questions at (608) 224-4539.

COMMERCIAL FEED PROGRAM

The WDATCP Commercial Feed Program assures consumers and manufacturers that animal feeds – livestock feed, pet food¹, and feed ingredients – are unadulterated, meet label guarantees, and are safe and effective for use. Program activities promote the safety of feed for livestock and companion animals, ensure the safety and integrity of the human food chain, protect consumers against fraud and deception, and support a fair and honest feed commerce environment. Additionally, the Feed Program follows up on feed-related complaints and initiates feed investigations where animal illness, death or a loss in production is believed to have been caused by an adulterated or misbranded feed source.

The Program, in the course of regular activities, performs facility inspections, surveillance sampling and comprehensive labeling reviews to ensure compliance with Wisconsin Statute §94.72 and Wisconsin Administrative Code ch. ATCP 42.

COMMERCIAL FEED LICENSE

Any person or business that manufactures, labels or distributes commercial feed in/into Wisconsin must have an active, annual Wisconsin Commercial Feed License. This includes manufacturers, labelers and/or distributors located outside of Wisconsin who distribute commercial feed into Wisconsin. Licensees are also required to complete and submit annual tonnage reports and pay fees of 25 cents per ton of feed distributed in/into Wisconsin during the previous calendar year. This license is valid for one year (March 1 - Feb 28/29.)

Renewal Applicants: Renewal commercial feed license application packets are mailed in January, along with a tonnage report for sales made in the preceding calendar year. Please note that the department will not accept incorrect or outdated forms. Use only the most current forms mailed to you by the department.

New Applicants: New businesses may submit a completed application, along with product labels, at any time.

EXPORTING FEED

Feed products exported overseas may require a Feed Export Certificate of Free Sale or License Card. A Feed Export Certificate, also known as a Certificate of Free Sale, indicates to the destination country that the product label was reviewed for compliance and is free for distribution in Wisconsin. A License card indicates a person or business' feed

¹ A pet is defined as either a dog or a cat, and pet food or pet treats is restricted to dog treats or food, or cat treats or food. All other animal feed or feed ingredients are livestock feed.

Agriculture generates \$88 billion for Wisconsin

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • Wisconsin.gov

An equal opportunity employer

license status (which must be current and active). The cost is \$15.00 per certificate, regardless of the type of certificate requested. For more information regarding Feed Certificates of Free Sale, please call (608) 224-4539 or email datcpfeedexport@wisconsin.gov.

PET FOOD/PET TREATS

Whether selling them commercially, at a farmer's market, online, or at craft fairs, a Wisconsin Commercial Feed License is also required to manufacture or distribute pet food or pet treats in Wisconsin. Pet food and pet treats are required to be manufactured and labeled following all applicable Good Manufacturing Practices (GMPs) according to Wis. Adm. Code ch. ATCP 42.

You will find information about making and selling homemade pet treats or pet food, including but not limited to, packaging/ and labeling requirements please visit AAFCO's "The Business of Pet Food" website (<http://www.petfood.aafco.org>). If you have questions specific to Wisconsin regulations regarding the manufacture or labeling of pet food and/or pet treats, call (608) 224-4539 or email datcpfeed@wisconsin.gov.

ASSOCIATION OF AMERICAN FEED CONTROL OFFICIALS (AAFCO)

The Association of American Feed Control Officials (AAFCO) is a voluntary membership association of local, state and federal agencies charged by law to regulate the sale and distribution of animal feeds and animal drug remedies.

PURPOSE AND FUNCTION OF AAFCO

Although AAFCO has no regulatory authority, the Association provides a forum for the membership and industry representation to achieve three main goals:

- Safeguard the health of animals and humans as it relates to animal feed.
- Ensure consumer protection.
- Provide a level playing field of orderly commerce for the animal feed industry.

These goals are achieved by developing and implementing uniform and equitable laws, regulations, standards, definitions and enforcement policies for regulating the manufacture, labeling, distribution and sale of animal feeds - resulting in safe, effective and useful feeds by promoting uniformity amongst member agencies.

AAFCO is responsible for the Official Publication (OP), a book that contains model commercial feed regulations, labeling requirements, and the comprehensive listing of approved animal feed ingredients and definitions. The feed definitions are adopted by Wisconsin regulations. The OP is available for purchase at AAFCO's website, <http://www.aafco.org>.

AAFCO also provides the following printed resources via their website:

- Commercial feed, non-pet food, labeling guide- FREE
- Pet food labeling guide – available for purchase
- Pet food business information (separate website, <http://petfood.aafco.org/>)

WISCONSIN FEED PROGRAM WEBSITE

<http://www.datcp.wi.gov>, then click Programs/Services | Livestock Feed/Pet Food.

WISCONSIN FEED REGULATIONS

(Both references are searchable via Google.)

- Wisconsin State Statute 94 (<http://docs.legis.wi.gov/statutes/statutes/94>)
- Wisconsin Administrative Code ch. ATCP 42 (http://docs.legis.wisconsin.gov/code/admin_code/atcp/42)
- Stay current with the Department's medicated feed templates:
https://datcp.wi.gov/Pages/Programs_Services/MedicatedFeedLabelTemplates.aspx

FEDERAL REGULATIONS

(All are searchable via Google.)

- Title 21, the Federal Food, Drug, and Cosmetic Act, including the Food Safety Modernization Act
- Section 704 of the Food, Drug and Cosmetic Act [21 U.S.C. 374] (<http://www.gpo.gov/fdsys/pkg/USCODE-2010-title21/html/USCODE-2010-title21-chap9-subchapVII-partA-sec374.htm>)
- Food Safety Modernization Act (FSMA) regulations. There are 7 overall parts to the rules, 4 of which are important to animal feed: Animal Feed Current Good Manufacturing Practice and Preventive Control Rules, Foreign Supplier Verification program (FSVP), 3rd Party Accreditation, and Sanitary Transport. More info on FDA's website: <http://www.fda.gov/Food/GuidanceRegulation/FSMA/>
- Generally, references to animal feed are in U.S. Code: Title 21 - Food and Drugs - Parts 501 (21 CFR 501); 70, 72, 74, and 81 (21 CFR 70, 73, 74, and 81); 570 and 582 (21 CFR 570 and 582); 113, 225, and 226 (21 CFR 113, 225, and 226)
- More help from FDA: <http://www.fda.gov/animalveterinary/products/animalfoodfeeds/petfood/ucm2006475>

WISCONSIN FEED TESTING LABORATORIES

NOTE: The Wisconsin Department of Agriculture, Trade and Consumer Protection does not endorse or recommend the use of any particular laboratory over another.

- SF Analytical Laboratories – 2345 S 170th St, New Berlin, WI 53151-2701
Phone: (262) 754-5300
<http://www.sflabs.com>
- Rock River Laboratory, Inc. - 710 Commerce Dr., PO Box 169, Watertown, WI 53094-0169
Phone: (920) 261-0446
<http://www.rockriverlab.com>
- Dairyland Laboratories, Inc. - 217 E. Main St., Arcadia, WI 54612
Phone: (608) 323-2123
<http://www.dairylandlabs.net>
- UW Soil & Forage Analysis Laboratory - 2611 Yellowstone Dr., Marshfield, WI 54449
Phone: (715) 387-2523
<http://uwlab.soils.wisc.edu/feed-forage/>
- Commercial Testing Laboratories, Inc. - 514 Main St., Colfax, WI 54730
Phone: (800) 962-5227
<http://www.ctlcolfax.com/ctlab.htm>
- Covance Laboratories, Inc. - 3301 Kinsman Blvd., Madison, WI 53704
Phone: (608) 242-2712 EXT. 4170
<http://nutri.covance.com>